



U.S. Department of Justice

United States Attorney
Southern District of

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New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/29/2021

July 28, 2021

VIA ECF

Hon. Alison J. Nathan
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Echegoyen Cohen v. Renaud*, No. 21 Civ. 5025 (AJN)

Dear Judge Nathan:

This Office represents the government in the above-referenced mandamus action in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate his Petition for Alien Entrepreneur (“Form I-526”). The government’s response to the complaint is currently due on August 19, 2021. I write respectfully, with plaintiff’s consent, to request a 60-day stay of the deadlines in this case, until October 18, 2021. Likewise, with plaintiff’s consent, I respectfully request an adjournment of the initial pretrial conference, which is currently scheduled for September 24, 2021 at 3:15 p.m., *see* ECF No. 8, to a date convenient for the Court after October 18, 2021. In accordance with Your Honor’s individual practices in civil cases, the parties propose the following three alternate conference dates: October 29, November 19, and December 3. This is the government’s first request for an extension of time to respond to the complaint and its first request for an adjournment of the initial pretrial conference.

The 60-day stay is requested because plaintiff’s I-526 petition is based on an investment in an EB-5 Immigrant Investor Regional Center Program (“Regional Center Program”), and Congress has not extended the statutory authorization related to the Regional Center Program, which expired at the end of the day on June 30, 2021. Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993, Pub. L. No. 102-395, 106 Stat. 1828 (1992), as amended (“the Regional Center statute”); Div. O, Title I, Sec. 104 of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (2020).

The 60-day stay will allow the parties time to monitor whether Congress will renew the statutory authorization related to the Regional Center Program and to assess the impact of such reauthorization (or lack thereof) on this litigation. Should Congress renew the statutory authorization related to the Regional Center Program prior to the expiration of the 60-day stay, the government will promptly notify the Court.

I thank the Court for its consideration of these requests.

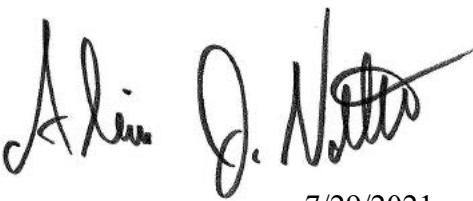
Respectfully submitted,

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cc: Counsel of Record (via ECF)

All deadlines are stayed to October 18, 2021.
The initial pretrial conference scheduled for
September 24, 2021, is adjourned to October
29, 2021, at 3:15 p.m.
SO ORDERED.



7/29/2021
SO ORDERED.
ALISON J. NATHAN, U.S.D.J.